

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17 - CV - 494 - GCM**

QUEEN CITY BREAD,
Plaintiff,

v.

BIMBO FOOD BAKERIES, LLC
f/k/a George Weston Bakeries
Distribution, Inc.,
Defendants.

AMENDED ORDER

THIS MATTER IS BEFORE THE COURT ON ITS OWN MOTION. Due to a clerical error, this Amended Order replaces the Order docketed on 11/14/2018 as docket number 35.

This case is set for trial on **Tuesday, January 22, 2019, at 10:00 a.m.** The parties are hereby directed as follows:

1. **By December 28, 2018 at 4:00 P.M. the parties are required:**
 - (a) To discuss the possibility of settlement.
 - (b) To make all pretrial disclosures in compliance with Fed. R. Civ. P. 26(a)(3).
 - (c) To agree to the extent possible on the authenticity of exhibits.
 - (d) To agree upon the issues for the jury. If counsel cannot agree, each party should submit its own proposed issues.
 - (e) To file a trial brief, a joint statement of the issues remaining for trial, request for voir dire and proposed jury instructions.
 - (f) To file proposed findings of fact and conclusions of law in all non-jury matters.
2. You will be expected to comply with the provisions of the pretrial order regarding trial preparation. **COUNSEL ARE NOTIFIED THAT FAILURE TO COMPLY WITH DEADLINES WILL RESULT IN SANCTIONS.**
3. All cases are subject to call for trial when reached, regardless of their position on the calendar. **The jury will be selected on Tuesday, January 22, 2019.**

4. Issue any needed subpoenas immediately upon receipt of this calendar.
5. When presenting judgments or orders for the trial judge's signature, you are required to submit them in Microsoft Word via CyberClerk.
6. Exhibits: Parties are expected to use presentation technology available in the courtroom to display evidence to the jury. Training on the equipment should be arranged well in advance of trial with the courtroom deputy. See "Courtroom Technology" link on the district website at www.ncwd.uscourts.gov. Counsel shall provide in electronic format any exhibits of documents, photographs, videos, and any other evidence that may be reduced to an electronic file, for the use of Court personnel and the Court's Jury Evidence Recording System (JERS) during trial. Documents and photographs shall be in .pdf, .jpg, .bmp, .tif, or .gif format; video and audio recordings shall be in .avi, .wmv, .mpg, .mp3, .mp4, .wma, .wav or .3gpp format. Each electronic exhibit shall be saved as a separate, independent file, and provided to the Court on a storage device, such as cd, dvd, or flash drive. Exhibit files shall be named consistent with their order and name on the exhibit list. For example:

Exhibit 1 - photograph of....

Exhibit 2(a) - contract

Exhibit 2(b) - video deposition of....
7. If you have or discover a serious objection to trial which you think ought to result in a postponement, please file your motion to continue electronically.

IT IS SO ORDERED.

Signed: November 15, 2018



Graham C. Mullen
United States District Judge

